

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M., September 27, 2005, pursuant to adjournment on September 13, 2005. Commissioners present were: Pekas, Hajek, and Zweep. Commissioners Twedt and Kolbe were absent. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Vice-Chairman Pekas called the meeting to order.

RECOGNITION

Vice-Chairman Pekas presented John Olson with a certificate from the South Dakota Association of Counties recognizing his 25 years of service to Minnehaha County. He also presented a plaque from the SDAC to Lloyd Olson, Acting Facilities Director, on behalf of all county employees, for obtaining the Silver Level Loss Control and Safety Achievement Award. Mr. Olson commented on the Safety Committee, its members, and their efforts to prevent injuries and maintain a safe working environment.

MINUTES

MOTION by Zweep, seconded by Hajek to approve the Minutes for September 13, 2005. 3 ayes.

VOUCHERS TO BE PAID

MOTION by Hajek, seconded by Zweep to approve the following bills for payment. 3 ayes.

A & B Business Equip	Var. Depts	714.43	A to Z Language Inte	Var. Depts	2,025.00
Abu-Ghazaleh, Samir	Human Svcs	8,731.56	Accurate Reporting,	Mental Ill	191.82
Ahrendt, Brian T.	Court Sys.	972.00	Albers, Tyrone	Sheriff	144.00
Alvine, Grant G	Court Sys.	784.00	Anesthesia Physician	Human Svcs	224.00
Anesthesiology Assoc	Human Svcs	392.00	Appeara / Dudley Lau	Hiway Cons	32.30
Appearance plus Towi	Sheriff	45.00	Argus Leader	Var. Depts	1,456.21
ASAP Software Expres	Info Svcs	295.47	Avera Gastroenterolo	Human Svcs	673.36
Avera McKennan Hospi	Var. Depts	18,103.18	B & E Apts/Holland,	Human Svcs	620.00
Bargain Barn Tire Ce	Dir. Eq.	10.00	Bentwood Manor Apts,	Human Svcs	450.00
Berreau, Cynthia	Court Sys.	444.00	Best Business Produc	Reg Deeds	39.00
Best-Ex, Inc.	Mus Grant	161.95	Blind Dog Production	Mus Grant	494.64
Bob Barker Company,	Correction	1,339.48	Bob's Washer, Dryer	Human Svcs	312.62
Border States Electr	Hiway Cons	444.28	Bosman, Joseph	Correction	144.00
Boyer Trucks Sioux F	Correction	1,361.06	Brentwood Apartments	Human Svcs	450.00
Brevik Law Office, P	Mental Ill	169.47	Brown & Saenger	Var. Depts	601.03
Bureau of Informatio	Var. Depts	1,463.80	Bureau of Nat'l Affa	Pub. D.	1,108.00
Burnette, Sara L.	Court Sys.	388.50	Business Printing &	Cnty Exten	76.72
Butler Law Office, P	Court Sys.	3,094.79	C & R Supply, Inc.	Hiway Cons	46.08
CADD/Engineering Sup	Plan & Zon	109.50	CAJ Enterprises, Inc	Human Svcs	387.00
Campbell Supply Co.,	Var. Depts	655.80	Canadian Conservatio	Museum	26.00
Catco	Hiway Cons	20.88	Central Plains Surgi	Human Svcs	452.83
Century Business Pro	Var. Depts	132.09	Chang, Hyun	Human Svcs	300.00
Chemco, Inc.	Var. Depts	4,633.62	Children's Theatre C	Museum	700.00
City Centre Hotel Co	Court Sys.	143.18	City of Brandon	Human Svcs	125.59
City of Crooks	Human Svcs	107.50	City of Hartford	Human Svcs	172.08
Civic Research Insti	Correction	79.90	Classic Cleaners	Sheriff	6.90
Cleveland Heights Ap	Human Svcs	350.00	Cliff Avenue Auto Pa	Hiway Cons	189.22
Cobra Administration	Human Svcs	377.82	Cobraserve National	Human Svcs	734.00
Cole Papers, Inc.	Correction	396.80	Communication Servic	Court Sys.	275.00
Concrete Materials	Var. Depts	853.60	Construction Product	Hiway Cons	207.00
Cooley, Carla F	Court Sys.	539.60	Country Meadows Apts	Var. Depts	515.00
Crescent Electric Su	Hiway Cons	13.72	Cumberland Apts. I	Human Svcs	525.00
Dacotah Bank	Var. Depts	300.00	Dakota Fluid Power,	Hiway Cons	263.35
Dakota Lettering Etc	Museum	460.00	Dakota Riggers & Too	Hiway Cons	205.14
Dakota Security Syst	Sheriff	34.84	Dakota Surgical, Ltd	Human Svcs	294.68
Dan Grigg Images, In	Musm Store	84.28	Davidson, John Q.	Mental Ill	216.00
Deaconess Billings C	Pub. Adv.	3,500.00	deCastro Law Office,	Court Sys.	4,927.18

Decisionone Corporat	Info Svcs	1,087.43	Dell Marketing L.P.	Info Svcs	112.00
Dell Rapids Ford, In	Sheriff	36.01	Deneui, Brian L.	Human Svcs	350.00
Dialnet/Ahrens Telec	Correction	111.50	Diamond Mowers, Inc.	Hiway Cons	288.11
Diesel Machinery, In	Hiway Cons	117.64	Dietrich, Donna K	Mental Ill	973.49
Disaster Management	Emer Mgmt	18,258.20	DLRS Properties, Inc	Human Svcs	150.00
Drake Equipment, Inc	Hiway Cons	180.32	Dresbach, Steve	Mental Ill	3,172.50
DTN Corporation	Cnty Exten	147.00	Dust Tex Service, In	Museum Mtc	12.48
Eastern Farmers Coop	Facilities	31.00	Engelbrecht, Joann	Museum	100.00
Express Copy & Print	Cnty Exten	67.56	F.W. Dunn Co.	Hiway Admi	100.00
Farrar, Tom	Human Svcs	400.00	Farrell, Lorae J	Pub. D.	98.80
Fastenal Company	Facilities	42.94	Finley, Rick	FEMA Fund	500.00
Foley, Cindy A.	Mental Ill	55.31	Fortin, Margaret	Mental Ill	144.00
Fox, Youngberg & Lew	Mental Ill	211.70	Fraternal Burial Assn	Human Svcs	2,250.00
Fred the Fixer, Inc.	Var. Depts	28.50	Friedbauer, Ronald	Hiway Cons	107.73
G & H Radiator	Hiway Cons	35.00	G & R Controls	Var. Depts	372.30
Galls, Inc.	Correction	159.98	Gearman, Jason	Correction	144.00
Glasco, Randy	Var. Depts	850.00	Glasford, Tara L	Court Sys.	318.20
Goebel Printing, Inc	Var. Depts	201.42	Goede, Daniel J, D.D	Human Svcs	165.80
Golden Creek Investo	Human Svcs	350.00	Gould, Jeff	Museum	100.00
Graff, Richard	Human Svcs	180.00	Graham Tire Co. - Do	Var. Depts	836.56
Great Plains Int'l T	Hiway Cons	671.09	Greenfield, Beverly	FEMA Fund	500.00
Gregory, Candise	Cnty Exten	11.60	Gunner, Andrea	Court Sys.	228.00
Guzman, Sandra V.	Var. Depts	849.98	Hagen, Joanne C.	Human Svcs	350.00
Hamilton, Jeff	FEMA Fund	500.00	Harold's Photo Cente	Musm Entpr	39.97
Harris, Jon	Sheriff	17.50	Heimdal, Marie Ann	Pub. D.	1,150.00
Hepner, Leanne	Metro-911	54.00	High Point Networks,	Info Svcs	1,032.95
Hillyard, Inc.	Facilities	154.16	Hobby Lobby Stores,	Var. Depts	75.15
Hoffman, Douglas E	Court Sys.	1,774.00	Home Depot Credit Se	Var. Depts	73.96
Human Service Agency	Pub. Adv.	31.77	Hunter Automotive, I	Hiway Cons	630.42
Hunter's Lawn & Land	Human Svcs	75.00	Hy-Vee Food Store	Var. Depts	243.34
Hy-Vee Food Store	Var. Depts	137.13	Hy-Vee Food Store	Museum	69.68
Hy-Vee Pharmacy	Human Svcs	58.98	Hy-Vee Pharmacy	Human Svcs	186.98
Hy-Vee Pharmacy	Human Svcs	19.70	Hy-Vee Pharmacy	Human Svcs	277.75
Insight Public Secto	Metro-911	73.24	Instant Technologies	Correction	1,019.94
Interstate Office Pr	Var. Depts	1,049.08	Iosty, Alysia A	Dir. Eq.	150.40
J.H. Larson Company	Facilities	165.34	James Publishing, In	Pub. D.	65.94
Janitor's Closet, Lt	Var. Depts	985.72	Jans Corporation	Facilities	437.00
Janssen, Karen	Human Svcs	450.00	Jaymar Business Form	Auditor	1,340.50
Jefferson Partners,	Var. Depts	2,326.60	Jim Hawk Truck Trail	Hiway Cons	88.72
JJT Ventures, LLC	Human Svcs	350.00	John Morrell Benefit	Human Svcs	1,815.14
Johnson, Allan R	Human Svcs	525.00	Justice Fire & Safet	Var. Depts	159.00
Kabeiseman & Pollard	Mental Ill	171.30	Kallemeyn, Richard	Dir. Eq.	184.56
Kappen, Philip	Plan & Zon	26.00	Kilian Community Col	Auditor	106.00
Kirton, Steve	Correction	24.00	Kittams, Kevin	Human Svcs	400.00
Kmart	Human Svcs	155.66	Kolbe, Robert	Comm.	164.18
Kooistra, Nelva	Mental Ill	120.00	Koopman & Sons Gas C	Hiway Admi	198.80
Kraayenhof, Nancy	Human Svcs	350.00	Kreislers, Inc.	Var. Depts	234.26
Krell, Lynn	Juv Det Cn	20.00	L.L. Harder, Inc.	Facilities	125.90
La Ron's II Power Eq	Var. Depts	69.98	Lacey's Chemical Res	Hiway Cons	73.00
Lakeview Apts / Wiem	Human Svcs	225.00	Lakeview Technology,	Emer Mgmt	42,061.58
Language Line Servic	Var. Depts	105.60	Lawson Products, Inc	Hiway Cons	224.46
LCM Pathologists, P.	Var. Depts	3,564.31	Lee, Steven	Human Svcs	309.00
Lewis Drug Stores	Var. Depts	57.22	Lexis-Nexis / Reed E	Var. Depts	1,854.75
Lindemann, Norman	Var. Depts	500.00	Linweld, Inc.	Var. Depts	240.35
Locateplus Corp	Sheriff	15.00	Lockwood Law Office,	Court Sys.	140.28
Lyle Signs, Inc.	Hiway Cons	101.40	M&T Fire and Safety,	Emer Mgmt	448.00
Mambo, Jacques	Human Svcs	83.52	Matchan, Hope	Var. Depts	537.40
Mathison Company	Var. Depts	21.85	Maxwell Food Equipme	Var. Depts	85.85
Mcfarland, Kenneth	Comm.	180.12	McGrath, Michael J,	Pub. Adv.	1,350.00
Mckay, Julie	Cnty Exten	350.52	McMaster, Kent	FEMA Fund	300.00
Medical X-Ray Center	Human Svcs	283.21	Menards - East	Var. Depts	112.84
Menards - West	Hiway Admi	62.55	Meteorlogix, LLC	Hiway Cons	1,167.99
Midamerican Energy C	Var. Depts	2,384.06	Midcontinent Communi	Info Svcs	345.00
Miller Funeral Home,	Human Svcs	2,215.00	Milstead, Michael W	Sheriff	26.00
Minnehaha Cnty Human	Human Svcs	154.00	Minnehaha Cnty Priso	Correction	24.50
Monick Pipe & Supply	Facilities	124.50	Mulder, Dee A.	Mental Ill	161.46
Munk, Steven	Cnty Exten	49.80	Murray Construction	Human Svcs	25.00
Myrl & Roy's Paving,	Hiway Cons	308.02	Nat'l Criminal Justi	Sheriff	7.50
Nesson Law Office, P	Court Sys.	934.90	Neurology Associates	Human Svcs	132.50

Nextel Partners, Inc	Sheriff	42.52	Nguyen, Lam	Court Sys.	25.00
Niedringhaus, Paul	Sheriff	144.00	Northern Heights Dev	Human Svcs	304.00
Northern Truck Equip	Hiway Cons	500.00	Novak Sanitary Servi	Correction	298.00
Nyberg's Ace Hardwar	Museum	44.94	O & P Specialties, I	Correction	232.40
O'Connor, Eileen	Human Svcs	400.00	Ob Gyn & Gynecologic	Human Svcs	161.20
Office Depot, Inc.	Info Svcs	1,166.21	Officemax Credit Pla	Var. Depts	367.11
Ohnstad, Gary A	Human Svcs	350.00	Olson, Craig B	Sheriff	44.00
Palisades Oil Compan	Human Svcs	370.00	Palmer, David Alan,	Court Sys.	874.00
Pastime Software Com	Mus Grant	255.00	Pennington Cnty Stat	Mental Ill	200.00
Pennington County Ja	Correction	2,963.69	Petco Animal Supplie	Sheriff	67.98
Peters, Scott N, P.C	Mental Ill	3,429.70	Peterson, Wade	Human Svcs	225.00
Pfeifer Implement Co	Hiway Cons	102.18	Pheasantland Industr	Correction	137.81
Physicians Laborator	Human Svcs	202.19	Pierre Parkside Deve	Var. Depts	1,628.94
Plymouth County Sher	St Atty	16.50	Pomp's Tire Service,	Var. Depts	1,101.47
Pontiac Cadillac of	Sheriff	248.08	Prairie Publications	Comm.	1,405.04
Prairie Wind Apts/In	Human Svcs	450.00	Precision Properties	Human Svcs	350.00
Presenta Plaque Corp	Sheriff	104.80	Prospect Heights Apt	Human Svcs	300.00
Provo, Tom	Human Svcs	450.00	Quail Hollow Townhou	Human Svcs	900.00
Qualified Presort Se	Var. Depts	6,595.42	Quest Engineering, I	Hiway Cons	911.35
Qwest	Var. Depts	24,630.12	Qwest Enterprise	Var. Depts	848.54
Rabuck, Steve/Nichol	Court Sys.	948.49	Record Keepers, Inc.	Court Sys.	3,218.85
Refinish Supply Cent	Hiway Cons	177.14	Regional Training Se	Sheriff	75.00
Reh fuss, Cathryn A	Mental Ill	120.00	Reinhart Foodservice	FEMA Fund	800.00
Restful Lodging, Inc	Human Svcs	350.00	Richard-Ewing Equipm	Facilities	12.20
Ristesund, Gill	Human Svcs	310.00	River Tower Apartmen	Human Svcs	923.00
Ron Anderson Constru	Build Fund	3,291.15	Ronning Commercial,	Human Svcs	350.00
Roto-Rooter Sewer &	Hiway Cons	300.00	Roust, Sue	Auditor	81.63
Rural Metro Ambulanc	Coroner	400.00	Safelite Glass Corp.	Sheriff	39.95
Schmitz, Kalda & Assn	Museum	250.00	SD Dept of Human Ser	Var. Depts	245.00
SD Dept of Revenue	Var. Depts	84.00	SD Dept of Transport	Hiway Cons	2,403.41
SD Law Review	Var. Depts	58.30	SD Newspaper Assn Se	Comm.	47.19
SD Risk Pool	Human Svcs	546.70	SD Safety Council	Human Res.	195.00
SD Sheriff's Assn.	Sheriff	130.00	SD State Treasurer	Sales Tax	429.66
SDSU Agbio Communica	Cnty Exten	39.09	Servall Towel & Line	Musm Entpr	62.67
Shipley's Laundry &	Musm Entpr	52.50	Sigler Fire Equipmen	Sheriff	157.50
Simons, Duane	Human Svcs	350.00	Simonsma, Ron	FEMA Fund	330.00
Sioux Empire FCU / V	Sheriff	1,430.42	Sioux Empire FCU / V	St Atty	202.39
Sioux Empire FCU / V	Sheriff	525.40	Sioux Empire FCU / V	Correction	772.36
Sioux Empire FCU / V	Sheriff	407.10	Sioux Empire FCU / V	Emer Mgmt	755.02
Sioux Empire FCU / V	Var. Depts	1,339.15	Sioux Empire FCU / V	Var. Depts	1,541.65
Sioux Falls City Fin	Facilities	89.27	Sioux Falls City Fin	Var. Depts	11,126.51
Sioux Falls Ford, In	Sheriff	362.00	Sioux Falls Humane S	Animal Con	2,621.76
Sioux Falls Rubber S	Sheriff	5.90	Sioux Falls Surgical	Human Svcs	631.47
Sioux Falls Utilitie	Var. Depts	395.19	Sioux International	Juv Det Cn	52.46
Sioux Valley Energy	Human Svcs	501.55	Smith, Jeff & Lisa	Human Svcs	450.00
South Prairie Proper	Human Svcs	450.00	South Western Dental	Human Svcs	1,692.81
Sportsman's Warehous	Emer Mgmt	539.46	Springbrook Estates	Human Svcs	550.00
Stan Houston Equipme	Hiway Cons	230.43	Stiefvater, Brad	Emer Mgmt	156.00
Streicher's	Sheriff	89.95	Strunk, Lisa	Pub. D.	11.40
Sturdevant's Auto Pa	Hiway Cons	329.86	Surgical Institute O	Human Svcs	856.44
SV Clinic Ob-Gyn Lim	Human Svcs	1,284.50	SV Hospital	Var. Depts	5,367.23
Tammen Oil	Sheriff	26.16	Teacher's Media Comp	Juv Det Cn	391.78
Tee's plus	Sheriff	180.06	The Center for Activ	Mus Grant	49.50
The Mitographers, In	Sheriff	20.00	Thesenvitz & Mickels	Court Sys.	336.70
Thorin, Deyanira T.	Var. Depts	719.15	Timekeeping Systems,	Correction	45.00
Timothy J Bond	Human Svcs	350.00	Townsend Pricing, In	Musm Store	66.78
TSP Four, Inc.	Build Fund	55,057.70	UAP Timberland, LLC	Hiway Cons	9,534.50
United Medical Resou	Human Svcs	569.22	US Postal Service	Cnty Exten	60.08
Valley West Apartmen	Human Svcs	350.00	Van's Auto Electric	Hiway Cons	125.00
Vantek Communication	Metro-911	175.00	Velgersdyk, Dr. Scot	Human Svcs	101.08
Velvet Uniforms, Inc	Var. Depts	847.71	Viking Office Produc	Pub. D.	16.90
Vision Care Associat	Human Svcs	194.44	Voigt, Debra	Court Sys.	1,474.38
W.W. Grainger, Inc.	Hiway Admi	282.67	Wagner Office Soluti	Juv Det Cn	154.00
Wal-Mart Business /	Metro-911	20.68	Wal-Mart Pharmacy	Human Svcs	4.25
Walgreen Co.	Human Svcs	1,701.43	Walsh, Mike	Sheriff	144.00
Warren's Sharpening	Museum	87.00	Wausau Benefits-COBR	Human Svcs	1,265.00
Weeg's Trailer Park	Human Svcs	170.00	Wells Fargo	Human Svcs	712.28
West Group	Var. Depts	1,938.74	Wilkes, Jeff	Dir. Eq.	320.64
Willard, James A.	Cnty Exten	26.00	Wilsey & Associates,	Hiway Cons	2,167.50

Wright, Larry	Cnty Exten	16.40	Xcel Energy, Inc.	Var. Depts	57,829.75
Yankton County Sheri	Mental Ill	165.00	Yankton Medical Clin	Human Svcs	133.00
Zabel Steel Co.	Hiway Cons	62.83	Zep Manufacturing Co	Hiway Cons	409.74

REPORTS

The following reports were received and placed on file in the County Auditor's Office: Sheriff's Department Monthly Report for July & August, 2005; the Register of Deeds Official Statements of Marriage, Recording, Transfer, and Express Fees for August, 2005, and the Auditor's Account with the County Treasurer as of August 31, 2005.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

On Deposit in Banks	
Interest-bearing open accounts	2,182,607.49
CD's and savings	14,000,000.00
Cash	21,326.75
Checks in Treasurer's possession for more than 3 days	3,053.25
Total	\$16,206,987.49

PERSONNEL

MOTION by Zweep, seconded by Hajek to approve the following personnel changes. 3 ayes.

1. To promote Korey Dosch to Appraiser II (9/2) for the Director of Equalization Office at \$14.652 per hour effective 9-12-05.
2. To accept the resignation of Larry Capra as Custodian I for the Facilities Department effective 9-15-05.
3. To accept the resignation of Paul Mausbach as Juvenile Correctional Worker for the Juvenile Detention Center effective 8-29-05.
4. To promote Amanda Wilcoxon to Deputy Public Defender II (21/1) for the Public Defender's Office at \$1939.44 biweekly effective 9-30-05.
5. To reassign James Wipf to Deputy Sheriff (12/11) for the Sheriff's Office at \$21.071 per hour effective 9-14-05.
6. To promote Phillip Leidholt to Correctional Officer II (10/2) for the Sheriff's Office at \$15.531 per hour effective 9-10-05.
7. To accept the resignation of Charles Horner as Laborer for the Highway Department effective 9-16-05.

Step increases due:

1. Jeffrey Wilkes – Appraiser III – Director of Equalization – 10/12 to 10/13, 9-29-05, \$19.691/hr
2. Deborah Berreth – Assistant Director Communications – Metro Communications – 17/10 to 17/11, 9-24-05, \$2,114.56/biweekly
3. Mary Buddi – Senior Office Assistant – Museum – 7/5 to 7/6, 9-23-05, \$14.227/hr

4. Heidi Jerke – GIS Coordinator – Planning – 14/3 to 14/4, 8-23-05, \$20.211/hr
5. Marci Gebers – Correctional Officer II – Sheriff – 10/2 to 10/3, 9-11-05, \$16.153/hr
6. Valerie Marmolejo – Correctional Officer I – Sheriff – 9/1 to 9/2, 8-2-05, \$14.652/hr
7. Diane Johnson – PT AG Security Officer I – Air Guard – 8/5 to 8/6, 9-4-05, \$15.200/hr
8. Aaron McGowan – Deputy States Attorney III – States Attorney – 21/4 to 21/5, 9-27-05, \$2,182.40/biweekly
9. Daniel Beacom – Juvenile Caseworker II – Juvenile Detention Center – 13/10 to 13/11, 9-19-05, \$1,771.44/biweekly
10. Michael Hanlon – Caseworker II – Human Services – 12/4 to 12/5, 9-29-05, \$18.70/hr

NOTICES

MOTION by Hajek, seconded by Zweep to authorize the Auditor to publish Request for Proposals for Animal Control Services in Minnehaha County. 3 ayes.

MOTION by Zweep, seconded by Hajek to authorize the Auditor to publish Request for Proposals for a Lunch/Snack Bar Operator in the Minnehaha County Administration Building. 3 ayes.

MOTION by Hajek, seconded by Zweep to authorize the Auditor to publish Notice of Hearing for Consideration of Vacation of Public Right-of-Way described as Jackson Avenue lying adjacent to Lot 3 Block 3 & Lot 4 Block 4 Sampson Subdivision Fauskes Addition, Section 27-T102N-R48W west of the 5th PM, Minnehaha County, SD, on October 11, 2005. 3 ayes.

MOTION by Zweep, seconded by Hajek to authorize the Auditor to publish Notice of Hearing for Consideration of Vacation of Public Right-of-Way described as the east half of Greenstone Avenue lying adjacent to Lots 7-9 Block 14 & Lots 1-7 Block 19 Rowena Original, Section 26-T101N-R48W of the 5th PM, Minnehaha County, SD, on October 11, 2005. 3 ayes.

AGREEMENTS

Sheriff Lieutenant Kaci Zwak presented the First Addendum to Agreement for Furnishing Security Services between Minnehaha County and Southeast Technical Institute. STI has requested that the Sheriff's Department temporarily provide an additional 24 hours of coverage per week. STI will reimburse the County for employee costs plus benefits, along with a 15% administrative fee on a monthly basis. The increase in services will be for an unspecified period of time. MOTION by Hajek, seconded by Zweep to authorize the Vice-Chairman to sign the addendum. 3 ayes.

Sheriff Lieutenant Bruce Swan presented a renewal agreement for security services at the Army National Guard Base from October 1, 2005 through September 30, 2006. The SD Department of Military and Veterans Affairs will pay the county an amount not to exceed \$153,108 for these services. This is an increase of \$9,075 from 2005, which covers insurance and the 3% COLA. Commissioner Hajek praised the Sheriff's Department for their efforts in generating revenues through contract services. MOTION by Zweep, seconded by Hajek to authorize the Vice-Chairman to sign the Joint Security Protection Agreement Contract #CSSF040016F between Minnehaha County and the SD Department of Military & Veterans Affairs and Adjutant General. 3 ayes.

Sheriff Lieutenant Bruce Swan requested that the Commission approve the renewal agreement for full-time security operations at the Air National Guard Base. Under the terms of the agreement, the county will receive an amount not to exceed \$578,000 for these services. This is \$26,516 short of the 2006 budget of \$604,516. Last year's agreement was also short of the budget amount, however, additional funds were released later in the year to cover the shortfall. Commissioner Pekas commented on the trust level between the SDANG and Sheriff's Department. MOTION by Zweep, seconded by Hajek to authorize the Vice-Chairman to sign the Joint Security Protection Agreement between Minnehaha County and the SD Department of Military & Veterans Affairs and Adjutant General. 3 ayes.

EMERGENCY MANAGEMENT

Lynn DeYoung, Emergency Management Director, requested approval of the Emergency Management FY2006 State and Local Agreement between the State of South Dakota Office of Emergency Management and Minnehaha County. Under the terms of the agreement, the State would provide funding to the County for Emergency Management services outlined in the agreement. This is a 50% grant and requires the County to provide a 50% match. MOTION by Zweep, seconded by Hajek to authorize the Chairman to sign the Emergency Management FY2006 State and Local Agreement. 3 ayes.

Mr. DeYoung also requested that the Commission authorize the Vice-Chairman to sign the National Incident Management System (NIMS) Implementation Plan. This plan outlines the training requirements of individuals that may have a responsibility in a disaster or emergency situation. Each county in South Dakota is required to submit a Plan to the State of South Dakota. MOTION by Hajek, seconded by Zweep to authorize the Vice-Chairman to sign the NIMS Implementation Plan. 3 ayes.

MOTION by Zweep, seconded by Hajek to authorize the Vice-Chairman to sign the SD Office of Emergency Management Citizen Corps Agreement. 3 ayes. The Commission authorized participation in the program on August 9th.

MOTION by Zweep, seconded by Hajek to approve the following supplements from the Emergency Management Fund to the Emergency Management budget: \$2,162.06 (ASN 16927) for the 2004 Citizens Corp Grant; \$309,040.00 (ASN 16925) for the 2004 ODP Equipment Grant; \$15,000.00 (ASN 16924) for the 2003 ODP Part II Supplement Equipment Grant; \$34,176.68 (ASN 16925) for the 2004 ODP Equipment Grant; \$3,000.00 (ASN 16959) Life Light Volunteer Hours; \$2,755.80 (ASN 16927) for the 2004 Citizens Corp Grant; and \$112,507.20 from the General Fund to the Sheriff's Department budget (ASN 16577) for the 2004 Law Enforcement Terrorism Prevention Program. 3 ayes.

PRESENTATION

Roger Risty, Risty Benefits, gave a presentation of a proposal from the Sioux Empire Safety Village to use a portion of the W.H. Lyon Fairgrounds under a long-term lease. The Safety Village mission is to create safety awareness, promote life safety skills and provide injury prevention, education and training for the children and families of Sioux Falls and the Sioux Empire. The village would be completed in various phases. Commissioner Pekas noted that the program supports the role of making education a priority to the county. The village would be located on a five acre tract in the northwest part of the grounds. MOTION by Hajek, seconded by Zweep to authorize the Sioux Empire Fair Board to engage in preliminary negotiations for a long-term contract with the Sioux Empire Safety Village. 3 ayes.

SURPLUS

MOTION by Hajek, seconded by Zweep to remove five fluorescent light fixtures from the Surplus For

Sale List and donate them to the City of Sioux Falls Street Department. 3 ayes.

2006 BUDGET

Sue Roust, County Auditor, presented an overview of the final 2006 County Budget of \$49,583,292, an increase of \$1,767,861 over the 2005 budget. This is an increase of \$361,860 from the provisional budget. The proposed budget includes 1.5 new hires in the Sheriff’s Department to support a new contract for state work release inmates, converting two ¾ FTE clerical positions in the Public Defender and Public Advocate offices to full time, and continuation of funding an Internet Crimes Against Children position after grant funds are depleted. The budget also includes the \$260,000 opt-out to pay the county’s portion of debt service for the Human Services/City Health Department building project. Ms. Roust commented on concerns over potential increase in building material costs and noted that the architects are working on the issue. Law enforcement costs represent \$1.2 million of the increase. Ms. Roust reported that the budget is not balanced. She explained that this budget will spend down reserves by an estimated \$442,000. Of that amount, \$310,000 are one-time costs, the remaining \$132,000 represents actual continuing expenses. The owner of a \$100,000 property will see an increase of \$3.69 in taxes for 2006. Commissioner Zweep discussed the impact that inflation will have, while the county is subject to the current property tax limitations. Commissioner Pekas thanked the city of Sioux Falls for working with the County by increasing funding of the Metro Communications budget to ensure that essential services are funded. There were no public comments. MOTION by Hajek, seconded by Zweep to approve Resolution MC04-50 and to adopt the Final 2006 County Budget in the amount of \$49,583,292. 3 ayes. Commissioner Pekas thanked Ms. Roust for her work on the budget.

The budget as approved includes the following changes from the provisional budget:

	From	To		From	To
Ambulance Svcs.	\$0	\$135,000	JDC	\$2,457,413	\$2,451,371
Auditor	\$441,251	\$442,333	Metro Communications	\$2,776,921	\$2,865,147
Commission	\$376,179	\$375,651	Parks	\$85,571	\$85,242
Contingency	\$25,000	\$85,000	Planning	\$402,093	\$400,948
Elections	\$244,057	\$243,896	Public Advocate	\$372,837	\$382,215
Emergency Mgmt.	\$214,226	\$213,860	Public Defender	\$1,581,072	\$1,581,831
Equalization	\$1,007,031	\$1,002,786	Register of Deeds	\$592,195	\$589,919
Extension	\$157,810	\$157,458	Sheriff	\$3,442,126	\$3,462,394
Facilities	\$1,532,468	\$1,619,861	Jail	\$8,322,757	\$8,306,431
Highway Admin.	\$771,081	\$772,361	Air Guard	\$606,281	\$604,516
Highway Const.	\$7,558,979	\$7,555,805	STI Security	\$66,180	\$65,905
Human Resources	\$191,592	\$191,240	24/7 Sobriety	\$58,361	\$58,169
Human Services	\$3,088,408	\$3,085,752	States Attorney	\$2,043,603	\$2,057,371
Information Svcs	\$1,237,622	\$1,224,651	Treasurer	\$932,039	\$929,900
			Total budget	\$49,221,432	\$49,583,292

RESOLUTION MC05-50

ADOPTION OF THE ANNUAL BUDGET FOR MINNEHAHA COUNTY, SOUTH DAKOTA

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,

Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and

Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations and additions have been made thereto.

Now therefore be it resolved, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, shall be approved and adopted as the Annual Budget of the appropriation and expenditures for Minnehaha County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2006 and ending December 31, 2006 and the same is hereby approved and adopted by the Board of County Commissioners of Minnehaha County, South Dakota, this 27th day of September, 2005. The Annual Budget so adopted is available for public inspection during normal business hours at the office of the County Auditor, Minnehaha County, South Dakota. The accompanying taxes are levied by Minnehaha County for the year January 1, 2006 through December 31, 2006.

BOARD OF COUNTY COMMISSIONERS OF MINNEHAHA COUNTY, SOUTH DAKOTA

John Pekas, Vice-Chairman

James Zweep

Anne Hajek

ATTEST:

Sandy Kinder, Deputy Auditor

COUNTY TAX LEVIES: General - \$19,693,480, \$2.355/1000; Library - \$691,247, \$0.348/1000; Building Fund - \$2,774,658, \$0.332/1000; Fire Protection - \$333,275, \$0.158/1000.

AGREEMENT

Pursuant to deferral on August 23, 2005, Phil Kappen, Assistant Planning Director, presented an agreement for use of the Sioux Falls Sanitary Landfill with the City of Sioux Falls. This was deferred to address potential concerns with the terms of the agreement. Those concerns will now be addressed at the renewal of the county solid waste permit. The County already meets the requirements of the agreement and Mr. Kappen recommended approval. MOTION by Zweep, seconded by Hajek to authorize the Vice-Chairman to sign the agreement. 3 ayes.

APPEAL

Phil Kappen, Assistant Planning Director, was present for the appeal of the Planning Commission decision to approve a conditional use permit for the expansion of an existing concentrated animal feeding operation on property legally described as Tract 2 Ode Addition in the S1/2 SE1/4 of Section 27-T101N-R48W. The proposed expansion would allow for a total of 440 animal units with conditions. County ordinance allows for the expansion of existing CAFO's when certain criteria are met. To be considered an existing CAFO, the site must have contained at least 50 animal units confined in building or in a feedlot area prior to May 26, 1998. This expansion requires a conditional use permit due to the site being located over a Water Source Protection Area. MOTION by Zweep, seconded by Hajek to limit testimony to 25 minutes for both proponents and opponents. 3 ayes. Both groups concurred with the time limitation. Doug Ode, applicant with Royalwood Farms, introduced Kent Boadwine, consultant, and gave a presentation on the proposed expansion, site attributes, and environmental impacts. Odor control and manure containment and dispersal were also discussed. Dairy Herd Summary reports, presented by the applicant, indicate that the site managed 84 animal units as of May 27, 1998, which exceeds the 50 required by ordinance. Dr. Jeff Dietrich, a veterinarian, stated that he has been the vet for Royalwood Farms for the past 9 to 10 years and has visited the site on a monthly

basis. He reported that during this time frame, the herd size has stayed consistent at 100 to 110 cows. Mr. Boadwine explained that there is a similar sized dairy operation west of the city of Brandon that is within a quarter mile of a new housing development. He noted that the expansion of this facility would allow for improvements to the site and remove a previous request for a larger expansion at a nearby location, as this would no longer be financially feasible. He also discussed the potential for the applicant to apply for a larger future dairy operation northeast of the proposed site. If this were to occur, they would then look at converting this site into a specialized care area. Kristi Holm, opponent, spoke on behalf of other opposed residents in Iverson Crossing. She reported that other opponents were not in attendance because she informed them that an agreement had been reached with the applicant. However, that agreement was not in writing and has dissolved. She expressed concerns on the site being located over a Water Source Protection Area, and questioned whether the facility was actually an existing CAFO. She noted that a report indicating an animal count for a specific day did not sufficiently prove that there was an existing CAFO, and those numbers should have been maintained from the 1998 ordinance inception to the current date. Ms. Holm stated that area residents who have driven by the site reported seeing less than 20 cows. Vegetation at the site indicates that it was not consistently used as a feedlot. She stated that even if the site is determined to be an existing CAFO, there are other factors to consider and that the Commission's duty is to determine the best interests of the county. Ms. Holm does not feel the expansion is consistent with the City/County development plans for transition areas. Commissioner Hajek questioned the agreement Ms. Holm referred to. Ms. Holm answered that the terms would not allow for further expansion to exceed the 440 animal units, and that a pending appeal would be dismissed with prejudice. Matt Staab, area resident, spoke in opposition to the request. He commented on the process of obtaining required state permits and soil borings as these are done after the conditional use permit is issued and a facility is constructed. He voiced concerns about waste management and how it will impact the soil and water sources in the area. Mr. Kappen reported that the transition area the opponents referred to was used only to show specific areas of growth as part of the County Comprehensive Development Plan. The Plan does not include the proposed site or the Iverson Crossing development. He also addressed the required nitrate management plan. Don South, Planning Commission Chairman, spoke in support of the expansion and stated that he feels the applicant met the conditions. Commissioner Pekas stated that the previous request was not relevant to today's appeal and that a decision will be made on what is presented today. MOTION by Zweep, seconded by Hajek to approve Resolution MC05-51. 3 ayes.

RESOLUTION MC05-51

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Minnehaha County that an appeal was heard on the decision of the Minnehaha County Planning Commission to approve a conditional use permit to expand a concentrated animal feeding operation on property legally described as Tract 2 Ode Addition in the S1/2 SE1/4 of Section 27-T101N-R48W. The Board hereby upholds the Planning Commission decision to approve the conditional use permit with conditions.

Adopted this 27th day of September, 2005.

MINNEHAHA COUNTY

John Pekas, Vice-Chairman, Board of County Commissioners

ATTEST:

Sandy Kinder, Deputy Auditor

NEW BUSINESS

MOTION by Hajek, seconded by Hajek to authorize a request to consume/blend alcoholic beverages at

the WH Lyon Fairgrounds for a dance following the Northern Bull Riding Tour Finals on September 30, & October 1, 2005. 3 ayes.

Ken McFarland, Administrative Assistant, reported that the 2005 & 2006 budgets contain appropriations for exterior Coliseum improvements (\$25,000/\$50,000). The Coliseum Improvements Committee has requested authorization to apply for a Grant through the Deadwood Fund to help pay for \$62,000 in improvements for three areas. The grant would provide for \$25,000 with the balance to be paid out of the County budget. MOTION by Hajek, seconded by Zweep to authorize the Vice-Chairman to sign the grant application. 3 ayes.

MOTION by Hajek, seconded by Zweep to adjourn into Executive Session. 3 ayes. Following Executive Session the Commission adjourned until 9:00 a.m. on October 4, 2005.

APPROVED BY THE COMMISSION:

Carol Twedt, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor